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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,384	10/05/2001	Tetsujiro Kondo	450100-03525	5161

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EXAMINER

RAMAKRISHNAIAH, MELUR

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2614

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	09/972,384	KONDO ET AL.
	Examiner	Art Unit
	Melur Ramakrishnaiah	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 February 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-84 is/are pending in the application.
- 4a) Of the above claim(s) 37,38,60,61,83 and 84 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,2,6-8,13-15,17-21,26-36,39-44,49-67 and 72-82 is/are rejected.
- 7) Claim(s) 3-5,10-12,16,22-25,45-48 and 68-71 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

1. Applicant's election without traverse of claims 1-36, 39-59, and 62-82 in the reply filed on 2-27-2007 is acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- 3: Claim 31 recites the limitation " the state of grouping" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim. Therefore claims 31 and its dependent claims 32-33 are not examined further on their merits.

4. Claim 54 recites the limitation " the state of grouping " in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. Therefore claims 54 and its dependent claims 55-56 are not examined further on their merits.

5. Claim 77 recites the limitation " the state of grouping" in line 2. There is insufficient antecedent basis for this limitation in the claim. Therefore claims 77 and its dependent claims 78-79 are not examined further on their merits.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-2, 6-9, 13-15, 17-21, 26-30, 34-36, 39, 40-44, 49-53, 57-59, 62, 63-67, 72-76, 80-82 are rejected under 35 U.S.C 102(e) as being anticipated by Kondo et al. (US PAT: 6,606,111, hereinafter Kondo).

Regarding claim 1, Kondo discloses a communication system comprising: at least three communication devices (fig. 1, col. 5 lines 31-43), a seating order determination device (reads on direction detection section 15, figs. 4, 30) for generating seating order information (reads on adjusting sound/image data) at the point of time for information sent from each communication device and transmitting seating order information to each communication device (col. 10, line 61 – col. 11, line 37).

Regarding claim 2, Kondo further teaches the following: seating order determination device (reads on direction detection section 15, figs. 4, 30) generates the seating order information (reads on adjusting sound/image data) at each point of time for information sent from at least three communication devices, according to the degree of attention which each of the communication device pays attention to the information sent from each communication device (figs. 2, 3-4, col. 6 lines 38-65).

Regarding claims 6-9, Kondo further teaches the following: each communication device (for example 1A, figs. 1, 3) controls the output position of information sent from other communication devices, according to the seating order information (reads on adjusting sound/image data) to output the information sent from other communication devices in a seating order corresponding to seating order information, and wherein seating order is changed according to the seating order information, each communication device outputs indication information (reads on image and audio)

indicating a change in the seating order, indication information is image information, indication information is audio information, indication information includes image information and audio information (col. 10, line 61 – col. 11, line 37).

Regarding claims 13-15, Kondo further teaches the following: degree of attention is determined according to user behavior detection information or information specified by the user, user behavior detection information includes: user-sight-of line detection, user-face-direction information (col. 19, line 7 – col. 20, line 30).

Regarding claim 17, Kondo discloses seating order determination device (reads on direction detection section 15, figs. 4, 30) provided for communication system having three communication devices, comprising: seating order information generating means (reads on adjusting section 161, fig. 4) for generating seating order information (reads on adjusting sound/image data) at each point of time for information sent from each communication device, and transmitting means (16, fig. 4) for sequentially transmitting the seating order information generated by the seating order information generating means to each communication device (col. 10, line 61 – col. 11, line 37).

Regarding claim 18, Kondo further teaches the following: receiving means (16, fig. 4) for receiving attention degree information indicating the degree of attention which the user of the each communication device pays to the information sent from each of the communication device, wherein seating order information generating means (reads on adjusting section 161, fig. 4) generates seating order information (reads on adjusting sound/image data) according to the attention degree information received by the receiving means (col. 6 lines 38-59).

Claims 19-21 are rejection on the same basis as claims 13-15.

Regarding claim 26, Kondo discloses a communication device (for example 1A, fig. 1) in communication including at least three communication devices communicating with each other, comprising: receiving means (16, figs: 4, 30) for receiving information and seating order information sent from other communication devices, attention degree information generating means (132/133, fig. 4) for detecting the degree of attention which the user pays to the information sent from other communication devices to generate attention degree information, transmitting means (16, figs: 4, 30) for transmitting the attention-degree information generated by the attention degree information generating means, presenting means (111, 113, figs. 4, 30) for presenting information sent from other communication devices, and information manipulation and distribution means (reads on adjusting section 161, 163, fig. 4) for controlling output positions of the information sent from other communication devices according to the seating order information (reads on adjusting sound/image data) received by the receiving means to output information from other communication devices in a seating order corresponding to seating order information (col. 6 lines 38-49; col. 10, line 61 – col. 11, line 37; col. 19, line 7 – col. 20, line 30).

Regarding claims 27-30, Kondo further teaches the following: when the seating order is changed according to the seating-order information (reads on adjusting sound/image data), the information manipulation and distribution means (reads on adjusting section 161, 162, fig. 4) outputs indication information indicating a change in the seating order to the user, the indication is: image information, audio information,

indication information includes image information and audio information (col. 10, line 61 – col. 11, line 37).

Claims 34-36 are rejected on the same basis as claims 13-15.

Claims 39-40 are rejected on the same basis as claim 17.

Claim 41 is rejected on the same basis as claim 18.

Claims 42-45 are rejected on the same basis as claims 13-15.

Claim 49 is rejected on the same basis as claim 26.

Claims 50-53 are rejected on the same basis as claims 27-30.

Claims 57-59 are rejected on the same basis as claims 13-15.

Claim 62 is rejected on the same basis as claim 17

Claim 63 is rejected on the same basis as claim 17.

Claim 64 is rejected on the same basis as claim 18.

Claims 65-67 are rejected on the same basis as claims 13-15.

Claim 72 is rejected on the same basis as claim 26.

Claims 73-76 are rejected on the same basis as claims 27-30.

Claims 80-82 are rejected on the same basis as claims 13-15.

8. Claims 3-5, 10-12, 16, 22-25, 45-48, 68-71 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

--(JP 08256316A) to Arai discloses a system to realize a communication conference system in more natural way by storing plural video image patterns of a person taking notice of a screen pattern and displaying the patterns on a small screen corresponding to the relation of position between the person taking notice of the screen pattern and person to be noticed of.

--(JP11234640A) to Ishibashi discloses system to build a conference system with full of presence atmosphere even in the case of multipartite video conference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Melur Ramakrishnaiah
Primary Examiner
Art Unit 2614